

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

CHRISTY L. WILLIAMS,

Plaintiff

v.

TARRANT COUNTY COLLEGE
DISTRICT

Defendant.

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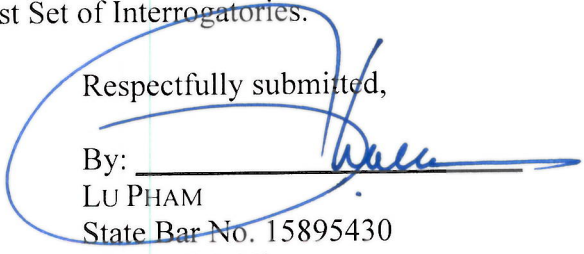
CIVIL ACTION No. 4:15-cv-00241

**DEFENDANT TCCD'S RESPONSES TO PLAINTIFF'S FIRST SET OF
INTERROGATORIES**

To: Plaintiff, Christy L. Williams, by and through her attorney of record, Donald E. Uloth,
Donald E. Uloth, P.C., 18208 Preston Road, Suite D-9 # 261, Dallas, Texas 75252.

Defendant, Tarrant County College District ("TCCD"), by and through the undersigned
counsel, serves its Responses to Plaintiff's First Set of Interrogatories.

Respectfully submitted,

By: 
LU PHAM
State Bar No. 15895430
LPham@dphllp.com

LAUREN H. McDONALD
State Bar No. 24085357
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DOWELL PHAM HARRISON, LLP
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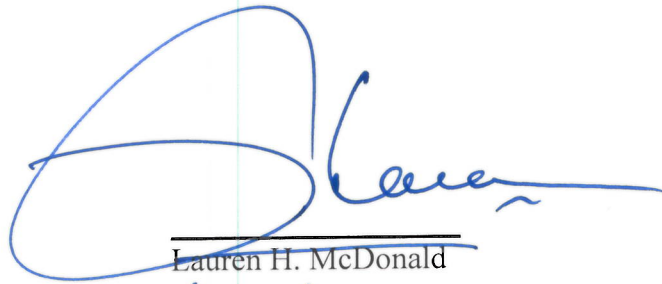
ANGELA H. ROBINSON
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TARRANT COUNTY COLLEGE
DISTRICT
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ATTORNEYS FOR DEFENDANT
TARRANT COUNTY COLLEGE
DISTRICT


CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing instrument has been sent via e-mail and facsimile on the 20th day of June 2016, to all parties at following address:

Donald E. Uloth
Donald E. Uloth, P.C.
18208 Preston Road, Suite D-9 #261
Dallas, Texas 75252
(214) 725-0260
(866) 462-6179 Facsimile
Don.uloth@uloth.pro



Lauren H. McDonald



RESPONSE TO INTERROGATORIES

INTERROGATORY NO. 1: Identify (name, home address, and home or cell phone number) each person who has knowledge of facts relevant to this case, and provide a brief description of each person's connection to the case and the subjects on which you believe they have knowledge.

Response:

Conrad Herrera

4945 Creek Ride Trail
Fort Worth, Texas 76179
(817) 729-4646

Mr. Herrera is represented by Lu Pham with the firm Dowell Pham Harrison, LLP. Please direct all contact to Mr. Herrera through Lu Pham.

Mr. Herrera was Plaintiff's supervisor in the writing lab located at TCCD's Northwest Campus. Mr. Herrera has knowledge of Plaintiff's job performance, the job requirements of instructional associate, her inability to perform the essential functions of her job, student and faculty complaints regarding Ms. Williams, whether Ms. Williams' requested any accommodation or informed him of a disability, and the November 2012 incident.

Margaret Levy

c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Ms. Levy was Plaintiff's co-worker in the writing lab located at TCCD's Northwest Campus. Ms. Levy may have knowledge of Plaintiff's job performance, the job requirements of an instructional associate, the work flow of the writing lab, Ms. Williams' interactions with other faculty, staff, and students, and whether Ms. Williams' requested any accommodation or informed her of a disability.

Lynnelle Brown

c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Ms. Brown was Plaintiff's co-worker in the writing lab located at TCCD's Northwest Campus. Ms. Brown may have knowledge of Plaintiff's job performance, the job requirements of an instructional associate, the work flow of the writing lab, Ms. Williams'

interactions with other faculty, staff, and students, and whether Ms. Williams' requested any accommodation or informed her of a disability.

Anita Biber

Academic Foundations Department Chair
c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Ms. Biber has knowledge regarding the circumstances of Plaintiff's separation from employment at TCCD, Ms. Williams' interactions with other faculty, staff, and students, the job requirements of an instructional associate, the work flow of the writing lab, and whether Ms. Williams' requested any accommodation or informed her of a disability. Ms. Biber has knowledge regarding the November 2012 incident.

Dr. Ricardo Coronado

Associate Vice Chancellor for Human Resources
c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street, Suite 101
Fort Worth, Texas 76102
(817) 632-6300

Dr. Coronado has knowledge regarding the circumstances surrounding Plaintiff's separation from employment, her job performance, as well as general information about the facts underlying this lawsuit.

Dr. Christine Hubbard

Dean of Humanities
c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Dr. Hubbard has knowledge regarding the circumstances of Plaintiff's separation from employment at TCCD, the essential job functions of an instructional associate, Ms. Williams' inability to perform the essential functions of an instructional associate, Ms. Williams' interactions with other staff, faculty, and students, the work flow of the writing lab, and whether Ms. Williams' requested an accommodation or informed her of a disability. Dr. Hubbard has knowledge of the November 2012 incident.

Lily Covio-Calzada

Coordinator of Special Services
c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Ms. Calzada has knowledge regarding Plaintiff's interactions with other staff, faculty, and students. Ms. Calzada has knowledge of the November 2012 incident.

Helen Yakub

Instructor at TCCD
c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Ms. Yakub has knowledge regarding Plaintiff's interactions with other staff, faculty, and students.

Cecilia Sublette

Instructor at TCCD
c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Ms. Sublette has knowledge regarding Plaintiff's interactions with other staff, faculty, and students.

Christy Williams

Plaintiff

Sharion Marshall

1810 Redcliff Court
Garland, Texas 75043
(214) 388-7958

Ms. Marshall was present during the January 2, 2013 meeting with Dr. Coronado and Ms. Williams. Ms. Marshall may have knowledge regarding Plaintiff's termination, her job performance, as well as general information about the facts underlying this lawsuit.

Krestin White

Human Resources Assistant

c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Ms. White has knowledge regarding Ms. Williams' FMLA leave.

Linda Freeman
TCCD nurse
c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Ms. Freeman has knowledge regarding the November 2012 incident.

Dr. Joe Rhode
VP for Student Development Services and licensed counselor
c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Mr. Rhode has knowledge concerning Plaintiff's interactions with other staff, faculty, and students.

Nancy Ball
c/o Lu Pham
Dowell Pham Harrison, LLP
505 Pecan Street Suite 101
Fort Worth, Texas 76177
(817) 632-6300

Ms. Ball is represented by Lu Pham with the firm Dowell Pham Harrison, LLP. Please direct all contact to Ms. Ball through Lu Pham.

Ms. Ball participated in TCCD's investigation concerning Plaintiff's allegations of disability discrimination.

INTERROGATORY NO. 2: Identify (by providing the Bates numbers) any documents describing any of the essential functions of Plaintiff's job.

RESPONSE:

- TCCD's Position Statement at TCCD 00007-11;
- Anita Biber's Timeline at TCCD 00110-114;
- Christy Williams' 2010-2011 Performance Appraisal at TCCD 00180-188;
- Christy Williams' Conflict Resolution Element K at TCCD 00189;
- Performance Improvement Plan for Christy Williams at TCCD 00191-193;
- Sharion Marshall's notes concerning the January 2, 2013 meeting at TCCD 00197-198;
- Conrad Herrera's Interview at TCCD 00216-217;
- Nancy Ball's Interview of Anita Biber and Dr. Hubbard at TCCD 00220-225;
- Instructional Associate Job Description at TCCD 00260-261;
- Dr. Hubbard's Recommendation for Termination of Employment for Northwest Campus Writing Lab Instructional Associate Christy Williams at TCCD 00272-273;
- Conrad Herrera's November 19, 2012 E-mail Regarding Support Staff Performance Evaluations at TCCD 00398;
- Writing Lab Employee Guide mentioned at TCCD 00460 and produced in native format;

INTERROGATORY NO. 3: If you contend Plaintiff was not qualified to perform the essential functions of her position at the time of her termination:

- a. Explain why you contend she was not qualified, including a description of each essential function you contend she was unable to perform and why you contend she was unable to perform such function;
- b. Explain what documents, facts or other information form the basis of your contention that she was not qualified.

RESPONSE: The essential functions of an Instructional Associate in the Northwest Campus Writing Lab include providing feedback for students on writing assignments on a walk-in basis and scheduled basis, conducting tutoring sessions with students, supervising students working non-open access computers in the writing lab, working effectively with other Writing Lab staff, students and faculty members whose students are completing writing assignments, and being able to work effectively in a fast-paced, flexible work environment. An Instructional Associate must be able to simultaneously greet students and get them set up working on computers, tutor other students with scheduled appointments, and address the needs of students requesting walk-in assistance.

Plaintiff was unable to perform these functions because she became extremely agitated when trying to multitask and would often get frustrated if she was tutoring a student and another student interrupted her while requesting walk-in assistance. Plaintiff was unwilling to assist walk-in students with questions and required them to leave their essays and schedule a follow-up appointment to receive assistance. Plaintiff had ongoing conflicts with her co-workers in the lab and was insubordinate to her manager, Conrad Herrera. Plaintiff also had conflicts with other faculty members who sent students to the writing lab. Plaintiff stated she felt stressed whenever she was working in the lab alone and pressured other staff members to change their schedules or to come in outside their scheduled work hours to assist her. Plaintiff also had several loud outbursts in the lab and in the hallway outside the lab area which was disruptive to students and faculty.

Moreover, Plaintiff is unable to effectively manage criticism as seen by her breakdown in November 13, 2012 in the writing lab.

See TCCD 7-11, TCCD 110-114, TCCD 115, TCCD 189, TCCD 191-193, TCCD 194-195, TCCD 197-198, TCCD 260-261, and TCCD 272-273.

INTERROGATORY NO. 4: For the period from 11/1/12 through 1/31/13, state the date and amount of each payment to Plaintiff by Defendant or any of its benefits providers, and state what the payment was for.

RESPONSE: On November 30, 2012, Plaintiff received a paycheck in the amount of \$2,423.54. On December 14, 2012, Plaintiff was paid \$387.19. *See* TCCD 2789-2790.

INTERROGATORY NO. 5: For the period from 11/13/12 through the time of Plaintiff's termination, explain how Defendant characterized Plaintiff's leave (e.g. administrative leave, FMLA, short-term disability) and identify (by Bates number) the documents informing Plaintiff of her status.

RESPONSE: Plaintiff was placed on FMLA effective November 13, 2012. For the period of November 13, 2012 through November 28, 2012, Plaintiff's leave reflected that she was on "other approved leave" due to her being placed on "paid administrative leave." On November 29, 2012, Plaintiff's sick and/or vacation leave was applied to her absences until all her sick and/or vacation leave was exhausted. Thereafter, Plaintiff was on unpaid leave. *See* TCCD 290.

INTERROGATORY NO. 6: Identify (name, home address, and home or cell phone number) each person involved in the decision to terminate Plaintiff's employment and describe each person's role in the decision-making process.

RESPONSE:

Dr. Ricardo Coronado

c/o Lu Pham

Dowell Pham Harrison, LLP

505 Pecan Street, Suite 101

Fort Worth, Texas 76177

(817) 632-6300

Dr. Coronado met with Plaintiff on January 2, 2013 to discuss her performance issues and sent the January 7, 2013 letter terminating Plaintiff's employment.

Anita Biber

c/o Lu Pham

Dowell Pham Harrison, LLP

505 Pecan Street, Suite 101

Fort Worth, Texas 76177

(817) 632-6300

Ms. Biber attended meetings with Plaintiff, Dr. Hubbard, and Conrad Herrera to discuss Plaintiff's concerns with Mr. Herrera as well as to discuss her performance and review her Annual Administrative Performance Evaluation. Ms. Biber drafted a timeline describing Plaintiff's behavior during these meetings. Ms. Biber's timeline was included in Dr. Hubbard's recommendation for termination of Plaintiff.

Dr. Christine Hubbard

c/o Lu Pham

Dowell Pham Harrison, LLP

505 Pecan Street, Suite 101

Fort Worth, Texas 76177

(817) 632-6300

Dr. Hubbard drafted the January 2, 2013 Recommendation for Termination of Employment for Northwest Campus Writing Lab Instructional Associate Christy Williams to Dr. Ricardo Coronado.

INTERROGATORY NO. 7: Describe the facts supporting your contention that Plaintiff failed to mitigate her damages, including (a) identification of any substantially equivalent employment that you contend Plaintiff should have applied for, and (b) any facts supporting your content that Plaintiff failed to use reasonable diligence in seeking substantially equivalent employment.

RESPONSE: Plaintiff has produced insufficient evidence demonstrating that she sought substantially equivalent employment as she had at TCCD. Plaintiff has produced no evidence indicating that she applied for a writing tutor position at any other local college or community college.

INTERROGATORY NO. 8: Identify (name, home address, and home or cell phone number) the person who created the Bates numbered as TCCD 00220-00225.

RESPONSE: Nancy Ball, 5980 Riverbend Place, Fort Worth, Texas 76112, (817) 368-4646. Please be advised that Ms. Ball is represented by Lu Pham with the firm Dowell Pham Harrison, LLP. Please direct all contact to Ms. Ball through Lu Pham.